

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Terry G. Young

Attorney Docket No.: Safoco-1-1

Serial No.: 09/538,881

Art Unit No.: 3753

Filed: March 30, 2000

For: Valve Actuator Apparatus

Examiner: A. Michael Chambers

RESPONSE

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Claims 21-23 stand rejected under 35 U.S.C. §101 as claiming the same invention as that of Claim 27 of prior U.S. Patent No. 6,089,531 (hereinafter "'531 Patent"). The rejection is respectfully traversed. Claim 27 of the '531 Patent calls for, *inter alia*, upper and lower spring retainers that are rotatable relative to the bonnet stem and the bonnet housing, respectively. Claims 21-23 are not so limited.

Thus, in addition to not requiring that the lower spring retainer be rotatable relative to the bonnet housing, Claim 21 also recites that the securing means permits removal of the operator assembly from the bonnet assembly, leaving the bonnet assembly intact to hold the valve closed when the operator assembly is removed. The latter limitation is not present in Claim 27 of the '531 Patent.

With respect to Claim 22, that claim also does not recite that the lower spring retainer is rotatable relative to the bonnet housing. In addition, Claim 22 calls for the bonnet stem to be externally threaded, the externally threaded end of the bonnet stem being received in a threaded bore in the contact member. The latter limitation is likewise not present in Claim 27 of the '531 Patent.

Lastly, in addition to not requiring that the lower spring retainer be rotatable relative to the bonnet housing, Claim 23 also differs from Claim 27 of the '531 Patent in that it calls for the



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securing means to include a base ring configured for rotation relative to the bonnet housing without affecting selected bonnet stem drift.

Applicant notes that the Examiner has apparently considered the prior art of record in the previous applications. Accordingly, since it is demonstrated that Claims 21-23 are not subject to double patenting as claiming the same invention of Claim 27 of the '531 Patent, it is respectfully submitted that Claims 21-23 are in condition for allowance, which is hereby earnestly solicited and respectfully requested.

Respectfully submitted,

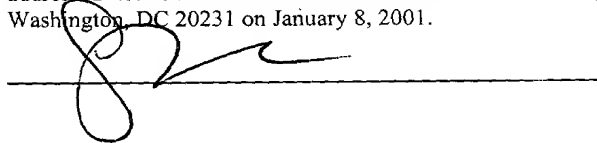


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CERTIFICATE OF MAILING

I, C. James Bushman, hereby certify that this correspondence and all referenced enclosures are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231 on January 8, 2001.



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
Safoco-1-1

JAN 16 2001

In Re Application Of: Terry G. Young

Serial No.
09/538,881

Filing Date
March 30, 2000

Examiner
A. Michael Chambers

Group Art Unit
3753

Title: Valve Actuator Apparatus

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

1. Response;
2. Petition for Extension of Time, in duplicate;
3. Required fee - \$55.00; and
4. Acknowledgment postcard.

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of \$55.00 is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 02-4345 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

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Dated: January 8, 2001

Signature

I certify that this document and fee is being deposited on 1/8/01 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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C. James Bushman

Typed or Printed Name of Person Mailing Correspondence

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